

City of Sierra Vista Development Review Time Frame Policy

1. Purpose

Senate Bill 1598 (SB 1598) was adopted by the Arizona Legislature in 2011, and applies to all Arizona municipalities and counties. The purpose of the SB 1598 Development Review Time Frame Policy (hereinafter referred to as “the Policy”) is to bring city and county development review application processing procedures into compliance with the SB 1598 Regulatory Bill of Rights as adopted in A.R.S. Chapter, Article 4.

2. Applicability

- a. This policy applies to the various City of Sierra Vista application review procedures that produce outcomes that qualify as “licenses”, defined in SB 1598 as “the whole or part of any municipal permit, certification, approval, registration, charter or similar permission required by law.” For the purposes of this Policy, the terms are considered interchangeable.
- b. As required by A.R.S. § 9-831 *et seq.* this Policy will take precedent over any timeline in the City Code, Development Code or other established timeframes.

3. Applications falling under the SB 1598 definition of “license”:

- a. General Plan text or map amendment
- b. Rezone
- c. Conditional use permit
- d. Special use permit
- e. Site plan review
- f. Modified site plan review
- g. Preliminary subdivision plat
- h. Final subdivision plat
- i. Variance
- j. Modified setback
- k. Sign permit
- l. Building permit
- m. Business license
- n. Alarm permit
- o. Malt liquor permit (Leisure Services)
- p. Temporary structure permit (Leisure Services)
- q. Special Business License (City Clerk)
- r. Right-of-way permit
- s. Certificate of Approval of Sanitary Facilities for Subdivision (per ADEQ)
- t. Certificate of Approval to Construct Drinking Water Facilities (per ADEQ)
- u. Provisional Verification of General Permit Conformance for Sewage Collection System, Gen. Permit 4.01 (per ADEQ)
- v. Garbage Service Agreement/Disposal Agreement (per ADEQ)

- w. Water Service and Sewer Service Agreement (per ADEQ)
- x. Sewer Extension Agreement
- y. Verification of General Permit Conformance for Sewage Collection System, Gen. Permit 4.01
- z. Approval of Construction, Water

4. Exemptions

A permit application that is issued within seven days of application is exempt from the provisions of this Policy. These permits may include, but are not limited to:

- Zoning compliance
- Temporary sign permit
- Temporary Use permit
- Business license (City Clerk)
- Special business license (City Clerk)
- Alarm permit (City Clerk)
- Malt liquor permit (Leisure Services)
- Temporary structure permit (Leisure Services)
- Right-of-way permit (Public Works)

5. Application Form Contents (to be provided to Applicant)

- a. List of all required steps in the application/approval process (reference to Development Code applicable section, or specific license requirements for non-Development Code licenses).
- b. Applicable time frames (reference this document).
- c. Contact person (reference applicable department director).
- d. Website address (reference City website or application form as applicable).
- e. Notice for opportunity to clarify ordinances/regulations (see Item 7 below).

6. Regulatory Clarifications

An applicant may request from the City clarification of a regulation pertaining to the application. A request must be in writing and include all information required by A.R.S. 9-839. The City may provide the requestor with an opportunity to meet and discuss the request. In compliance with A.R.S. 9-839, the City shall provide a written response within 30 days of receipt of the request.

7. Review Time Frame Requirements

A.R.S. §9-835 requires the City to have in place an overall timeframe during which the City will either grant or deny license applications subject to SB 1598 requirements. The time frame requirements for application review for applicable procedures are listed in Table A below.

8. Notice of Completeness

The City shall review applications for both administrative completeness and substantive compliance. The City shall send notice to the applicant of the application's status within the mandatory timeframes. The notice shall cite a list of all deficiencies and reference the applicable regulation or policy, inform the applicant that the City's mandatory timeframe is suspended pending receipt of requested corrections or any missing information and note that if the City fails to provide notice to the applicant the application is then deemed complete in accordance with the SB 1598 Compliance Policy (A.R.S. §9-835(D, E, F)).

9. Administrative Completeness

- a. The City shall issue a written notice of administrative completeness or deficiencies to an applicant for a license within the administrative completeness review time frame as listed on Table A below.
- b. If the City determines that an application for a license is not administratively complete, the City shall include a comprehensive list of the specific deficiencies. If the City issues a written notice of deficiencies within the administrative completeness time frame, the administrative completeness review time frame and the overall time frame are suspended from the date the notice is issued until the date that the City receives the missing information from the applicant.
- c. Administrative completeness shall include, but not be limited to:
 - i. A complete application per the applicable Development Code or other regulatory standard.
 - ii. An initial staff review by all affected City divisions to ensure that the application is complete.
 - iii. Subsequent staff reviews by all affected City divisions necessary to ensure the application is in a state that it can be reviewed on a substantive basis.

10. Substantive Review

The substantive review shall include the final review and/or approval needed to issue the license.

11. Time Frame Extension Process

- a. For substantive reviews of an SB 1598 license application, the City shall request no more than one comprehensive request for additional materials and corrections.

- b. If the re-submittal after the one comprehensive request is still not in compliance with the City regulations and policies, the application shall be denied. The City shall give notice of approval or denial by either electronic or written mail. The notice shall include citations of the pertinent regulations justifying an application denial and shall explain the applicant's rights to appeal.
- c. Upon receiving an application denial, the applicant may submit a new application to the City for further reviews.
- d. Under A.R.S. §9-835(H), by mutual written or electronic agreement, the City may extend the substantive review time frame and overall time frame. The extensions shall not exceed 25% of the overall time frame.
- e. The City and applicant may mutually agree in writing to allow the City to submit supplemental requests for additional information. If the City issues a comprehensive written request or a supplemental request by mutual written agreement for additional information, the substantive review time frame and the overall time frame are suspended from the date the request is issued until the date that the City receives the additional information from the applicant.

12. Refunds

If the City does not send notice to an applicant regarding approval or denial within the overall time frame or any mutually agreed extension thereof, the City shall refund the application fees within 30 days of the expiration of the overall time frame or any mutually agreed extension thereof and waive any additional fees for the application (A.R.S. §9-835(J)).

13. Time Frame Suspensions

The overall time frames listed in the Table below are suspended for the following time periods:

- a. From the date of a notice to the applicant of specific deficiencies in an application, whether on review for completeness of application or substantive review, and the date that the City receives the missing or requested information from the applicant.
- b. Time for completion of certain purposes, including public hearings or state or federal licensing.
- c. Appeals, as allowed by ordinance.

14. Table A: Review Timeframe Requirements

License	Administrative Review (Total Days)	Substantive Review (Total Days)	Overall Review (Total Days)	Notes
General Plan text or map amendment	35	55	90	
Rezoning	20	40	60	
Conditional Use	20	40	60	
Site Plan	70	20	90	
Modified Site Plan	40	20	60	
Preliminary Subdivision Plat	50	40	90	
Final Subdivision Plat	70	20	90	
Variance	30	30	60	
Modified Setback	15	10	25	
Sign Permit	15	10	25	
Building Permit	40	20	60	
Cert. of App. Sanitary Facilities for Subdivision	40	18	58	ADEQ Delegated
Cert. of App. Construct Drinking Water Facilities	30	13	43	ADEQ Delegated
Provisional Verification Gen. Permit Conformance for Sewage Collection System	40	20	60	ADEQ Delegated
Garbage Service Agreement/Disposal	40	20	60	ADEQ Delegated

Agreement				
Water Service and Sewer Service Agreement	40	20	60	ADEQ Delegated
Sewer Extension Agreement	40	20	60	
Verification of General Permit Conformance for Sewage Collection System	120	46	166	
Approval of Construction, Water	30	13	43	